IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO. 205 OF 2000

Shankar Appa Barkol ... Applicant

versus

The State of Maharashtra & anr. ... Respondents

...

Mrs. S.R. Moghe i/by Mehta & Girdharlal, for the Applicant.

Mr. K.V. Saste, A.P.P., for Respondent No. 1.

Mr. V.J. Brahmbhatt, for Respondent No. 2.

...

CORAM : A.M.KHANWILKAR,J.

21st December 2004

P.C.:

. Heard Counsel for the parties. Rule. Rule made returnable forthwith by consent. Mr. Saste, A.P.P., waives notice for Respondent No. 1. Mr. Brahmbhatt waives notice for Respondent No. 2. As short question is involved, petition taken up for final disposal forthwith by consent.

. Respondent No. 2 had filed complaint

against the Petitioner for offence punishable under section 138 of the Negotiable Instruments Act. The complaint was tried which ended in finding of conviction and sentence has been imposed requiring the Petitioner to pay fine of Rs. 12,00,000/- (Rupees Twelve lakhs only), in default to suffer simple imprisonment for one year. The Petitioner carried the matter in appeal. The appeal was, however, rejected. Now, during the pendency of the present revision application, parties have arrived at amicable settlement. Terms of settlement have been duly signed by the parties and their Advocates. Minutes of consent terms dated 8th December 2004 are tendered. Taken on record. In view of the abovesaid development and in the interest of justice, the appropriate course, to my mind, is to dispose of the present revision application on the basis of settlement arrived at between the parties, while setting aside the order of sentence imposed by the Court below. The Petitioner has agreed to pay the amount to the contesting Respondent as referred to in the Minutes of consent terms. Counsel for Respondent No. 2 submits that the petition can be disposed of on the above terms and the Respondent No. 2

has no objection for that order. Accordingly, revision application disposed of on the above terms. Undertaking given by the parties in the consent terms accepted.

. Certified copy expedited.

(A.M.KHANWILKAR,J.)